

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

SPECIALTY RX, INC. and  
BERZKUP NJ REALTY, LIMITED  
LIABILITY COMPANY

Plaintiffs,

v.

THE TRAVELERS INSURANCE  
COMPANIES and THE TRAVELERS  
INDEMNITY COMPANY

Defendants.

Civil Action No.:

Removed from:  
Superior Court of the State of New Jersey,  
Union County - Law Division  
Docket No. UNN-L-3973-18

**NOTICE OF REMOVAL**

**TO: Clerk of the Court**  
United States District Court  
District of New Jersey  
Martin Luther King, Jr. Federal Building  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Abraham S. Beinhom, Esq. (163362015)  
Jacobowitz Newman Tversky, LLP  
377 Pearsall Avenue, Suite C  
Cedarhurst, NY 11516  
*Attorney for Plaintiffs*

**PLEASE TAKE NOTICE THAT** pursuant to 28 U.S.C. §§ 1332 and 1441, Defendant, The Travelers Indemnity Company (improperly pled to include The Travelers Insurance Companies and hereinafter “Defendant”), by its undersigned attorneys, Finazzo Cossolini O’Leary Meola & Hager, LLC, hereby removes the above-captioned civil action, and all claims and causes of action therein, from the Superior Court of the State of New Jersey, County of

Union, to the United States District Court for the District of New Jersey. The grounds for removal are as follows:

1. On November 20, 2018, Plaintiffs commenced an action in the Superior Court of the State of New Jersey, Law Division, County of Union, Docket No. UNN-L-3973-18, by the filing of a Complaint.

2. Defendant was served with a Summons and the Complaint on November 27, 2018. Therefore, this Notice of Removal is timely.

3. True and complete copies of all process, pleadings and orders served upon the Defendant in the state court action, consisting at this time solely of the Summons, Complaint, and Civil Case Information Statement, are attached hereto as Exhibit A.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §1441, in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

5. Plaintiff, Specialty RX Inc., is a corporation and citizen of the State of Jersey, with its principle place of business in New Jersey.

6. Plaintiff, Berzkup NJ Realty, is a Limited Liability Company, organized under the laws of the State of New Jersey under 28 U.S.C. §1332(c)(1). Upon information and belief, the sole member of Berzkup NJ Realty, LLC, is a citizen of New York.

7. Defendant is organized under the laws of the State of Connecticut with its principal place of business in the State of Connecticut. Accordingly, Defendant is a citizen of Connecticut under 28 U.S.C. §1332(c)(1).

8. Therefore, there is complete diversity of citizenship between the parties hereto, thereby satisfying the diversity of citizenship requirement of 28 U.S.C. §1332.

9. Additionally, as noted, the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs, thereby satisfying the amount in controversy requirement of 28 U.S.C. §1332.

10. Defendant will promptly serve a copy of this Notice of Removal on counsel for Plaintiffs, and will file a copy of this Notice of Removal with the Clerk of the Superior Court of the State of New Jersey, County of Union, pursuant to 28 U.S.C. §1446(d).

**WHEREFORE**, Defendant, under 28 U.S.C. §§1332 and 1441, removes this action in its entirety from the Superior Court of the State of New Jersey, County of Union, to the United States District Court for the District of New Jersey.

DATED: December 27, 2018

**FINAZZO COSSOLINI O'LEARY  
MEOLA & HAGER, LLC**

By: /s/ Rachel R. Hager

Rachel R. Hager  
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*Attorneys for Defendant,  
The Travelers Indemnity Company  
(improperly pled to include The  
Travelers Insurance Companies)*

**CERTIFICATION PURSUANT TO L. CIV. R. 11.2**

I certify that the subject matter now before this Court is not part of any other action pending in any Court or of any pending arbitration or administrative proceeding.

DATED: December 27, 2018

**FINAZZO COSSOLINI O'LEARY  
MEOLA & HAGER, LLC**

By: /s/ Rachel R. Hager

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*Attorneys for Defendant,  
The Travelers Indemnity Company  
(improperly pled to include The  
Travelers Insurance Companies)*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of December, 2018, the foregoing Notice of Removal with attachments, Certification pursuant to Local Civil Rule 11.2 and Corporate Disclosure Statement pursuant to Federal Rule of Civil Procedure 7.1, were electronically filed with the Clerk of the Court, United States District Court for the District of New Jersey, and that a copy of same was served via E-mail and Regular Mail upon the following known counsel of record:

**Abraham S. Beinhom, Esq.** (163362015)  
JACOBWITZ NEWMAN TVERSKY, LLP  
377 Pearsall Avenue, Suite C  
Cedarhurst, NY 11516  
*Attorney for Plaintiffs*

/s/ Rachel R. Hager  
RACHEL R. HAGER